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3 **UNITED STATES DISTRICT COURT**
4 **DISTRICT OF NEVADA**

5 WILLIAM H. BALL,
6 Plaintiff(s),

7 v.

8 NEW YORK NEW YORK HOTEL AND
9 CASINO LLC,
10 Defendant(s).

Case No. 2:24-cv-01458-CDS-NJK

REPORT AND RECOMMENDATION

11 On September 10, 2024, the Court screened Plaintiff's complaint and ordered that "service
12 must be accomplished within 90 days from the date this order is entered." Docket No. 6 at 4 (citing
13 Fed. R. Civ. P. 4(m)). It does not appear that service was effectuated. *See* Docket No. 8. On
14 December 18, 2024, the Court ordered Plaintiff to show cause in writing why the case should not
15 be dismissed for lack of service. Docket No. 9. No response was filed. Accordingly, the
16 undersigned **RECOMMENDS** that this case be **DISMISSED** without prejudice pursuant to Rule
17 4(m).

18 Dated: January 14, 2025

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Nancy J. Koppe
United States Magistrate Judge

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22 **NOTICE**

23 This report and recommendation is submitted to the United States District Judge assigned
24 to this case pursuant to 28 U.S.C. § 636(b)(1). A party who objects to this report and
25 recommendation must file a written objection supported by points and authorities within fourteen
26 days of being served with this report and recommendation. Local Rule IB 3-2(a). Failure to file
27 a timely objection may waive the right to appeal the district court's order. *Martinez v. Ylst*, 951
28 F.2d 1153, 1157 (9th Cir. 1991).